<center>**COMMENTS**</center>

The enclosed is responsive to the Examiner's Office Action mailed on July 7, 2009 and is being filed pursuant to a Request for Continued Examination (RCE) as provided under 37 CFR 1.114.   At the time the Examiner mailed the Office Action claims 31-48 were pending. By way of the present response the Applicant has: 1) canceled claims 31 - 48; and, 2) added new claims 49 – 66. As such, claims 49 – 66 are now pending. The Applicant respectfully requests reconsideration of the instant application and the allowance of new claims 49 – 66.

The Applicant has canceled claims 31- 48 and added new claims 49 – 66 rendering moot the Examiner's current, outstanding rejections. Nevertheless the Applicant offers the following comments concerning the newly added claims and the Examiner's present Action.

With respect to the Examiner's rejection of independent claims 31, 37 and 43 under 35 USC 103, the Examiner's rejection cites paragraphs [0045] and [0050] of U.S. Publication No. 2003/005173 ("Shah") as disclosing minimum and maximum severity level settings. Paragraphs [0045] and [0050] of Shah state:

> [0045] File Handler 428 writes log records to a file.
>
> [0050] Filters 420 can be applied to loggers, to handlers, or to both loggers and handlers. When applied to a logger, the filter determines which types of message and trace records the logger processes. When applied to a handler, the filter

determines which types of message and trace records the handler sends to a destination. Filter 420 works by comparing a log record type against a set of criteria, or a query, contained within the filter 420.

Paragraphs [0045] and [0050] of Shah simply do not disclose a controller having **maximum and minimum** severity level settings. At most paragraph [0050] might suggest the use of a <u>single</u> severity level threshold. However, a controller having <u>maximum and minimum</u> severity level settings is simply not disclosed in paragraphs [0045] and [0050] of Shah. Moreover, the Applicant's newly presented independent claims recite (emphasis added):

> instantiating a first child controller from a first parent controller, said first child controller having a first threshold severity level, said first child controller designed to write a first received log or trace message into a first respective log or trace file if said first received log or trace message has a severity level above said first threshold severity level, said first child controller having a first minimum severity level setting and a first maximum severity level setting, said first child controller <u>adopting a first inherited severity level from said first parent controller as said first threshold severity level because said first inherited severity level resides between said first minimum and first maximum severity level settings</u>; and,
>
> instantiating a second child controller from a second parent controller, said second child controller having a second threshold severity level, said second child controller designed to write a second received log or trace message into a second respective log or trace file if said second received log or trace message has a severity level above said second threshold severity level, said second child controller having a second minimum severity level setting and a second maximum severity level setting, said second child controller not adopting a second inherited severity level from said second parent controller as said second threshold severity level and instead:
>
> > <u>adopting said second minimum severity level setting as said second threshold severity level because said second inherited severity level resides below said second minimum severity level setting; or,</u>
> >
> > <u>adopting said second maximum severity level setting as said second threshold severity level because said second inherited severity level resides above said second maximum severity level setting.</u>

The first above emphasized element recites the adoption of an inherited severity level that is between maximum and minimum severity level settings. The second above emphasized

element recites the adoption of a maximum severity level if an inherited severity level is above the maximum severity level setting, or, the adoption of a minimum severity level if the inherited severity level is below the minimum severity level. Thus, the Applicant's newly added claim limitations are directed to specific uses of the maximum and minimum severity level settings. The Applicant respectfully submits that since Shah does not disclose maximum and minimum severity levels generally, Shah cannot disclose specific uses of such maximum and minimum severity levels.

The Examiner also rejected, as failing to meet the written description requirement, claim limitations similar to those now presented in new dependent claims 51, 57 and 63 which are directed to a log controller that can write into both a log file and a trace file. According to the Examiner:

> Examiner has searched the original disclosure and found only that the logging controller or trace controller can write to both the console and to a file (see for example, Specification, [0023]), however this is not the same as the logging controller writing to both the log file and trace file such that the trace controller is no longer used to write received messages into the trace file.

> See, Examiner's Office Action, 7/7/09, p. 3.

The Examiner's attention is drawn to the discussion(s) of the Applicant's specification that pertain to the "loc" argument and relationships between logging and tracing operations. For instance, paragraphs [0040] and [0059] state (emphasis added):

> [0040] Messages associated with a particular <u>category</u> may also be associated with (<u>i.e., may be written with respect to</u>) a <u>source code area</u>, or location, such as a component, a package, a class or a method. <u>As the location may be associated with a particular tracing controller, the same method call can write a</u>

Appln. No.: 10/749,615
Amdt. dated 11/7/2009
Reply to the FOA dated 07/07/2009

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message simultaneously to, for example, the database log as well as to the location trace responsible for that part of the source code (i.e., save for the location having an appropriate severity setting). In one embodiment of the invention, both the trace message and the log message are generated with the same identification in order to facilitate cross-referencing among location and category logs. . . .

[0059] One difference in the API between Location and Category is an additional *loc* argument in Category output methods. As described above, log messages are typically written with respect to a source code area. This proves to be very helpful for logging analysis. By specifying the *loc* argument, a programmer may indicate that the message should be written as a trace message associated with the *loc* object. By properly configuring *loc*, logging can be just performed once and piped for both message types (i.e., logs & traces) simultaneously. This technique works for Location as well, and the API is available to specify the category argument. These techniques are explained in more detail below (section entitled "Relationship Between location and Category)."

The example described from paragraphs [0083] to [0085] concludes with

"[0086] With respect to the output line from the *category* 'objMgmt', it will output two messages simultaneously: one log message and one trace message. They will have the same message id for cross-referencing each other. This greatly simplifies the analysis."

The Applicant respectfully submits that the above portion of the Applicant's disclosure describe a logging controller that is informed (through the loc argument) to write both a log message (into a log file) and a trace message (into a trace file). As such the Applicants respectfully request the written description requirement is adequately met.

CONCLUSION

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: /11-07-09/   /Robert B. O'Rourke/
                          Robert B. O'Rourke
                          Reg. No. 46,972

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300